

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN

In re: **Bennie R. Ezell, Sr.**  
**Debra A. Ezell**

Debtor(s).

CHAPTER 13

CASE NO: **14-43098**

JUDGE **Thomas J. Tucker**

**ORDER CONFIRMING PLAN**

The Debtor(s)' Chapter 13 plan was duly served on all parties in interest. A hearing on confirmation of the plan was held after due notice to parties in interest. Objections, if any, have been resolved. The Court hereby finds that each of the requirements for confirmation of a Chapter 13 plan pursuant to 11 USC §1325(a) are met.

Therefore, IT IS HEREBY ORDERED that the Debtor(s)' Chapter 13 plan, as last amended, if at all, is confirmed.

**IT IS FURTHER ORDERED that BABUT LAW OFFICES, PLLC, attorney for the Debtor(s), shall file a fee application for all fees and costs.**

IT IS FURTHER ORDERED that the Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and contract.

All filed claims to which an objection has not been filed are deemed allowed pursuant to 11 USC §502(a), and the Trustee is therefore ORDERED to make distributions on these claims pursuant to the terms of the Chapter 13 plan, as well as all fees due the Clerk pursuant to statute.

IT IS FURTHER ORDERED as follows: [***Only provisions checked below apply***]

- ☒ The Debtor(s) shall remit 100 % of all tax refunds to which Debtor(s) is/are entitled during the pendency of the Plan and shall not alter withholdings without Court approval.
- ☐ The Debtor(s)' Plan shall continue for no less than 60 months.
- ☐ The claim of \_\_\_\_\_ shall be paid in accordance with its duly filed claim unless otherwise ordered by the Court.
- ☒ The Debtor(s)' Plan payments shall be increased to \$ \$893.12 upon confirmation of the plan; and to \$ 1508.81 effective September1, 2018 due to the 2012 Ford E150 Van will be paid in full.
- ☐ Creditor's rights to object to the last filed Amended Plan are preserved until \_\_\_\_\_.
- ☒ Other: Ford Motor Credit Company, LLC, is not required to file an amended proof of claim pursuant to LBR 4001-6.
- ☒ Other: The Michigan Department of Treasury claim of \$1,163.05 (Pacer Claim Number 21) will be treated with \$1,010.66 of the claim being paid by the Trustee as a Class 7.3 priority claim, and the remaining balance of \$152.39 being paid as a Class 9 general unsecured claim.
- ☒ Other: The Bank of New York Mellon's secured claim of \$64, 5560.91 (Pacer Claim # 18) will be paid Direct by the Debtors in monthly installments per contract as a Class 4.1 Creditor, as the loan was current at the time of filing. The Trustee shall not disperse on the arrears listed in the proof of claim as the Debtor will cure the escrow shortage directly to creditor.
- ☒ Other: The adversary case no. 14-04464 has been resolved by default judgment pursuant to the order entered on 6/18/2014 docket # 6. The claim of Green Tree (Pacer Claim # 12) shall be treated as a class 9 general unsecured creditor and all other terms of the order are incorporated herein.

## Objections Withdrawn

For Creditor /s/ Heather McGivern

JP Morgan Chase, NA

For Creditor /s/ Crystal L. Price Buckley (P69921)

Attorney for Green Tree Loan, Servicing, LLC for the 1<sup>st</sup> Mortgage  
only as to the 12911 Visger St, Detroit, MI 48217

For Creditor /s/ Ryan Byrd

Ford Motor Credit Company, LLC

Approved:

/s/ Tammy L. Terry

TAMMY TERRY  
Chapter 13 Standing Trustee  
535 Griswold, SUITE 2100  
Detroit, MI 48226

/s/ Thomas H. Paluchniak

Thomas H. Paluchniak (P70284)  
BABUT LAW OFFICE, PLLC  
Attorney for Debtor(s)  
700 Towner Street  
Ypsilanti, MI 48198  
(734) 485-7000  
tpaluchniak@babutlaw.com

Signed on November 26, 2014

/s/ Thomas J. Tucker

Thomas J. Tucker  
United States Bankruptcy Judge